

April 3, 1974

SENATOR F. CARSTENS: I am objecting to it, because I think that Senator Chambers, can correct me if I am wrong, I'm not trying to mislead anybody, I believe that the Supreme court has by court rule now adopted this procedure.

SPEAKER: Senator Chambers.

SENATOR CHAMBERS: Mr. President, the Supreme Court did not adopt the procedures in this bill. That is a misconception if what the Supreme Court had been adopted had been read by the practicing attorneys and the provisions of this bill would have been read, it would be clear as to what has been done. The Supreme Court allowed an appeal procedure only in case a person is denied the right to practice law by failure of a bar exam. Senator Carstens knows that there are much broader areas than this that can cause a person to be refused the right to practice law and there is no appeal procedure administratively. This allows an appeal for any reason that should deny the right to practice law. The supreme court judges agree that there are reasons other than failure of a bar examination which would prevent a person from being able to practice law. So the bill goes beyond the rule that the court adopted. It is not the same.

SPEAKER: Senator Whitney.

SENATOR WHITNEY: I would like to ask Senator Chambers a question please. Senator Chambers, this appeal procedure, is that really essential in this bill?

SENATOR CHAMBERS: Senator Whitney if I drafted this bill, I don't do it for a frivolous reason. I obviously felt that it was very essential or I would have dropped it a long time ago.

SENATOR WHITNEY: So much has been said in your statement a few moments ago, I thought that maybe it was not very essential.

SENATOR CHAMBERS: Senator Whitney, it is as essential as any bill that I have brought before this body, but I'm not coming here apologizing and begging to have somebody vote for a bill. Now if the vote is on the merits of the bill, the bill will be advanced. If the vote is being taken to punish me, then you won't advance it. I'm saying that if a person wants to vote on the merits of the bill fine. If the person wants to vote for some other reason or on some other basis, that is fine too, it matters not to me, but the bill as it stands has merit, and it ought to be advanced. But what anybody wants to do, they are free to do it.

SENATOR WHITNEY: Thank you.

(end belt #13A)

(Start belt #14A)

SPEAKER: Senator Fellman. You have 50 seconds to finish this discussion.

SENATOR FELLMAN: (mike not activated) that were raised, now it appears in a more careful reading that this bill opens up a whole new set of appeals. I question Senator Luedtke whether the